

does not disclose a method that includes forming a varistor body, coating surfaces of the varistor body and sintering the coated body. Shoji et al. requires sintering of the cylindrical body after it is formed. This is reflected throughout the entirety of Shoji et al. For example, in the Abstract, Shoji et al. states that a paste is applied on a "sintered ZnO" body. Also, at col. 1, lines 24-30; col. 2, lines 28, 37, 42, and 46; col. 3, lines 2, 21-22, and 43; col. 4, line 34; col. 5, lines 16-17; col. 6, lines 20-21; col. 7, lines 7 and 11; and col. 8, lines 15, 32-33, and 38 all describe coating a paste on a sintered body. Shoji et al. only discloses a method that includes sintering the cylindrical body prior to applying the paste and then again sintering the coated sintered body. Shoji et al. does not disclose coating a paste on a non-sintered body.

The present invention provides a method for manufacturing a varistor that does not require presintering the varistor body. As a result, the present invention provides a reduced manufacturing cost as compared to the process disclosed by Shoji et al. The present invention also provides a finished product with improved characteristics as compared to Shoji et al. Along these lines, by sintering an unsintered body, an increased concentration of high-resistance material in the thin surface layer close to the envelope surface of the varistor body may be achieved. The layer formed by the process disclosed by Shoji et al. is amenable to cracking due to differential thermal expansion between the surface of the varistor body and the layer formed after sintering the paste-coated body. There is also a risk for formation of blisters between the surface of the varistor body and the formed layer. These blisters may lead to flash-over. The present invention avoids problems associated with cracking and blisters.

In view of the above, Shoji et al. does not disclose all elements of the present invention as

recited in newly presented claims 5-8. Since Shoji et al. does not disclose all elements of the present invention as recited in newly presented claims 5-8, the present invention, as recited in newly presented claims 5-8, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

In view of the above, the reference relied upon in the office action does not disclose patentable features of the present invention. Therefore, the reference relied upon in the office action does not anticipate the present invention. Accordingly, Applicants respectfully request withdrawal of the rejection based upon the cited reference.

In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would facilitate the prosecution of this case, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge insufficient fees and credit overpayment associated with this communication to Deposit Account No. 19-5127, 19387.0003.

Respectfully submitted,

Date: 4-24-03

A handwritten signature in cursive script, appearing to read "Eric J. Franklin", written over a horizontal line.

Eric J. Franklin, Reg. No. 37,134
Attorney for Applicant
Swidler Berlin Shereff Friedman
3000 K Street, NW, Suite 300
Washington, DC 20007
Telephone: (202) 424-7605